REMARKS

Routine review of the previously submitted claims indicated a few minor informalities therein, which informalities have been corrected as set forth in the claim set as attached hereto. All of the corrections are believed to be wholly minor in nature and hence are not believed not to raise any new issues or require any new patentability evaluations.

This will also make of record a telephone conversation with Examiner Hannaher on February 5, 2004. The Examiner noted some minor informalities in Claims 31, 32 and 34. In view of the Examiner's objections, the dependency of these claims has been corrected so that these claims are now believed to be in acceptable form.

The Examiner's attention is also directed to enclosed Form PTO-1449 wherein there is identified German documents G 94 20 231.1 and DE 40 02 346 A1, both of which were originally identified in a Form PTO-1449 submitted with the Information Disclosure Statement filed simultaneous with the nationalization of this U.S.A. application. The Examiner prevously deleted these from the initialed 1449 on the grounds that translations thereof had not been submitted.

The Examiner is advised that full translations of these documents are not available, but the undersigned's German associate has provided the undersigned with comments as to the content of these applications, which comments are generally restated below:

Regarding G 94 20 231, it discloses a gas detector for carbon monoxide and carbon dioxide for a fire alarm system, for instance. According to Figure 2, the detector has a transmitter 8 and two receivers 6 and 7 placed at a distance 2 and 3, respectively, from transmitter 8. The detector can be used for measuring gases in a high concentration, as carbon monoxide and carbon dioxide when a fire arises, but not in a low concentration of ppm, such as according to the present invention. In particular, G 94 20 231 does not disclose a

significant feature of the present invention as defined by the main claims, namely the feature that the radiation from the radiation source to the concave mirrors is split and is of different lengths in the absorption chamber.

Regarding DE 40 02 436, it discloses a cell for a FTIR spectrometer. A focused beam 30, 33 is focused by reflecting mirrors 22, 23 to a second focus. An entrance window 25 is provided for incoming beam 30 and an exit window 26 for outgoing beam 37. Because the windows are placed in focuses 33, 36, respectively, they can have a very small diameter. The spectrometer of DE 40 02 436 does not disclose splitting the radiation into a measuring radiation path and a reference radiation path as in the present invention. Rather, according to DE 40 02 436 the focused beam 30 entering window 25 is widened by the plane mirror 22 so that the whole volume of the cell is covered, if possible.

Accordingly, with the above information provided as a supplement to the German language documents, the Examiner is requested to officially cite these documents herein. For this purpose, the enclosed Form PTO-1449 identifies these German documents thereon, copies of which were previously submitted. An appropriate fee authorization is also submitted herewith. If the Examiner still believes that additional translation is required, then he is requested to advise the undersigned and the undersigned will attempt to obtain a literal translation of relevant parts of these documents.

Further and favorable consideration of the application is requested.

Respectfully submitted,

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DHT/jp